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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,767	04/12/2006	Shai Lior	200310120-3	3543

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FORT COLLINS, CO 80527-2400

EXAMINER

CHEN, SOPHIA S

ART UNIT	PAPER NUMBER
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2852

MAIL DATE	DELIVERY MODE
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10/19/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/575,767

Applicant(s)

LIOR ET AL.

Examiner

Sophia S. Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6,9 and 11-18 is/are rejected.
- 7) ☒ Claim(s) 7,8 and 10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/12/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of the following informalities:

a. The abstract includes legal phraseology, such as "comprising" (page 19, line 3) and "said" (page 19, line 5).

b. The abstract is not in a single paragraph.

Correction is required. See MPEP § 608.01(b).

2. The disclosure is objected to because of the following informality: page 11, last line, "7080°C" is incorrect. Appropriate correction is required.

Priority

3. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Australia on 3/31/01. It is noted, however, that applicant has not filed a certified copy of the 2003901871 application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent; except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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5. Claims 1-4, 9, and 11-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakashima et al. (US Pat. Pub. No. US 2002/0159801 A1)

Nakashima et al. discloses a method and system of heating toner of an image on a moving surface of an intermediate transfer member 15 in order to transfer the image to a printing medium of a printing system comprising: providing a toner image on an intermediate transfer member 15 (paragraph [0065]); placing a surface of a heated member in contact with the image on the intermediate transfer member 15, prior to transferring the toner image to a further surface from the intermediate transfer member 15 (paragraph [0067] and Figure 3), wherein heating of the image by contacting heated member is in addition to heating by a heater, internal to the intermediate transfer member 15 (paragraph [0067] and Figure 3); moving the surface of the heated member together with the moving surface of the intermediate transfer member 15, so that the heated member surface comes into contact with the intermediate transfer member surface (Figure 3; inherently due to the rotations of both members); removing the surface of the heated member from contact with the intermediate transfer member 15 (Figure 3; inherently due to the rotations of both members); the heated member comprises a cylindrical drum contacting the intermediate transfer member 15, arranged such that portions of the intermediate transfer member surface contact portions of the heated surface and then are separated therefrom by motion of the intermediate transfer member 15 and rotation of the heated member (Figure 3); the image is transferred from the intermediate transfer member 15, under pressure (by the pressure roller 19; Figure 3); the intermediate transfer member 15 or 16 comprises a drum on which an

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intermediate transfer blanket is mounted on a belt (Figures 2 and 3); and transferring the still hot toner image to a final substrate (Figure 3).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakashima et al. in view of Watanabe (US Pat. No. 6,356,728 B1).

Nakashima et al., as discussed above, differs from the instant claimed invention in not disclosing the heated member being a belt contacting the intermediate transfer member, arranged such that portions of the intermediate transfer member surface contact portions of the heated surface and then are separated therefrom by motion of the intermediate transfer member and motion of the heated member.

Watanabe discloses an image forming apparatus comprising an intermediate transfer member 113; a pressure roller 114; and a heated member 121 being a belt (Figure 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the belt-shaped heated member as taught by Watanabe in place of the drum-shaped heated member of Nakashima et al. because of the same functionality for heating a member.

9. Claims 6, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakashima et al. in view of Lewis (US Pat. No. 5,987,284).

Nakashima et al., as discussed above, further discloses an image bearing member 11. Nakashima et al. differs from the instant claimed invention in not disclosing a step of removing excess carrier liquid from the image prior to its transfer to the intermediate transfer member.

Lewis discloses a liquid developing method comprising a step of removing excess carrier liquid (via a metering roller 32) from an image on an image bearing member 12 (column 5, lines 40-54).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the removing step as taught by Lewis to the image bearing member of Nakashima et al. to reduce the thickness of the liquid carrier on the image bearing member (Lewis; column 5, lines 49-54).

10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakashima et al. in view of Yamashita et al. (US Pat. No. 5,933,694)

Nakashima et al., as discussed above, differs from the instant claimed invention in not disclosing the internal heater is a radiant heater that heats the intermediate transfer member by heat radiated and air conducted from the heater.

Yamashita et al. discloses an image forming apparatus comprising a heater 120 being a radiant heater that heats an intermediate transfer member 50 by heat radiated and air conducted from the heater 120 (column 10, lines 24-25 and Figure 6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the heater as taught by Yamashita et al. in place of the heater of Nakashima et al. because of the same functionality for heating the intermediate transfer member.

Allowable Subject Matter

11. Claims 7, 8, and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Other Prior Art

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Berkes (US Pat. No. 6,002,907) discloses an image forming apparatus comprising an intermediate transfer member having an internal heater, a non-contact external heating member for heating the intermediate transfer member prior to transferring a toner image to a substrate, and a pressure roller.

Okamoto et al. (US Pat. No. 6,078,776) discloses an image forming apparatus comprising an intermediate transfer member having an internal heater, a non-contact external heating member for heating the intermediate transfer member after transferring a toner image to a substrate, and a pressure roller.

Takashi et al. (US Pat. No. 7,031,648 B2) an image forming apparatus comprising an intermediate transfer member having an internal heater, a non-contact external heating member for heating the intermediate transfer member prior to transferring a toner image to a substrate, and a pressure roller.

Ida et al. (JP 2002-287530 A) discloses an image forming apparatus comprising an intermediate transfer member having an internal heater, a contact-type external heating member for heating the intermediate transfer member after transferring a toner image to a substrate, and a pressure roller.

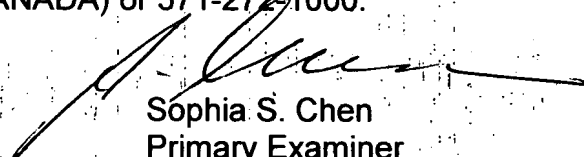
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sophia S. Chen whose telephone number is (571) 272-2133. The examiner can normally be reached on M-F (7:00-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on (571) 272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Sophia S. Chen
Primary Examiner
Art Unit 2852

Ssc
October 10, 2007